

CASCADE COUNTY PLANNING BOARD

PLANNING STAFF: Report and Recommendations
REGARDING: Planning Board Public Hearing on June 25, 2019
SUBJECT: Moore Minor Preliminary Plat
PRESENTED BY: Anna Ehnes, Planner

GENERAL INFORMATION

Applicant/Owner: Rina Moore
Property Location: SE ¼ of Section 24, T. 20 N., R. 4 E., P.M.M. Cascade County, Montana.
Parcel Number: 0002645775 and Geocode:02-3016-24-4-01-01-0000.
Existing Zoning: Rural Residential 5 (RR5) District
Requested Action: Subdivision Review
Purpose: To remove an agricultural covenant on a 20.45-acre lot. No additional lots would be created with the approval of the Moore Minor Subdivision.
Existing Land Use: The parcel is currently used as agricultural land.

SURROUNDING LAND USES

North: Residential and undeveloped lots within the Foothills Ranch Phase III Subdivision
East: Agricultural/undeveloped
South: Agricultural/undeveloped
West: Residential and undeveloped lots within the Foothills Ranch Phase III Subdivision

SPECIAL INFORMATION

1. The Planning Board is in receipt of a preliminary plat application from Anzarina Moore to remove an agricultural covenant and approve the Moore Minor subdivision preliminary plat. This proposed subdivision is located in the SE ¼ of Section 24, T. 20 N., R. 4 E., P.M.M. Cascade County, Montana.
2. Attached is a copy of the subdivision preliminary plat application and supplemental materials, which will remove the agricultural covenant on a 20.45-acre parcel.

3. Access to the parcel exists via an approach off Barn Wood Lane. It is stated in the application that "Should the property be sold and eventually have a single-family residence constructed, we would propose to have access to the property via Granit Hill Lane, a private road within the Foothills Subdivision". (see staff recommended condition #9).
4. The parkland requirement is waived pursuant to 76-3-621(3)(a) Montana Code Annotated (2017), as the parcel is greater than five (5) acres and 76-3-621(3)(e) Montana Code Annotated (2017), as it is being reviewed as a minor subdivision.
5. The proposed subdivision will receive law enforcement services from the Cascade County Sheriff's Department and fire protection services from the Sand Coulee Fire Department. Response time will be dictated by weather and road conditions.
6. Pursuant to 76-3-609 (2) (e), Montana Code Annotated (2017), a public hearing is not required for this minor subdivision.
7. There are no delinquent taxes on this property.
8. An Environmental Assessment is not required pursuant to 76-3-609 (2) (d) (i), Montana Code Annotated (2017) as it is a first-time minor subdivision.
9. The property is not in a regulated floodplain.
10. The project is exempt from onsite fire cistern requirements per 10-15(2)(5) of the Cascade County Subdivision Regulations, as fire protection measures are only needed when creating four (4) or more lots, or in subsequent minor subdivisions of three (3) or more lots. This subdivision review would not be creating any new lots.
11. The property is not located in the Wild Land Urban Interface as determined by the *Community Fire Plan Wild Land-Urban Interface for Cascade County*.
12. Legal notice of this proposed subdivision was sent to surrounding property owners on June 7, 2019 and appeared in the Great Falls Tribune June 16, 2019 and June 23, 2019.
13. Interested Agencies were provided with notification letters and a request for comments on June 7, 2019. No comments have been received at the time of writing this report.

CONCLUSION

This proposed subdivision meets the requirements of the Cascade County Subdivision Regulations, as well as Montana's Subdivision and Surveying Laws and Regulations.

RECOMMENDATIONS

The following recommendations are provided for the Board's consideration:

"I move to recommend to the Cascade County Commission after consideration of the Staff Report and Findings of Fact that the Preliminary Plat of the Moore Minor be **denied**;

or:

"I move to recommend to the Cascade County Commission after consideration of the Staff Report and Findings of Fact that the Preliminary Plat of the Moore Minor, be **approved**, subject to the following conditions:

1. Having the developer's surveyor correct any errors or omissions on the preliminary plat;
2. Causing to be prepared certificates of title of the land in the subdivision to be recorded in conjunction with the final plat;
3. Submitting with the plat a certificate of a title abstracter showing the names of the owners of record of the land and the names of any lien holders or claimants of record against the land (76-3-612 Montana Code Annotated (2017)).
4. Pursuant to 7-22-2152, Montana Code Annotated (2017), submitting a written plan to the Cascade County Weed Board specifying the methods for weed management procedures with regards to this development to then be filed in conjunction with the final plat.
5. Causing to be recorded on the plat a statement concerning limited public services.
6. Causing to be recorded on the plat an Agricultural Notification Statement.
7. Obtaining approval for the proposed water and sewage disposal systems from state and/or local health departments.
8. Causing to be recorded in conjunction with the final plat, an agreement requiring property owners of each subdivision tract to take part in any Rural Special Improvement District (RSID) for the reconstruction, improvement or perpetual maintenance of any road that can be used to access these lots as determined by Cascade County, provided that all other property owners served by said road share equitably in such an RSID
9. Causing to be recorded in conjunction with the final plat, a notarized agreement requiring property owners, current and future, of this tract of land to provide access documentation proving the access would be onto a road that is up to county standards if future development of this tract of land should occur. This agreement must be referenced on the Plat.
10. Obtaining any necessary approach permits from the Montana Department of Transportation for an approach onto Stockett Road or verification of an approach onto Granite Hill Lane and that it meets county standards.

Attachments: Findings of Fact
Subdivision – Preliminary Plat Application

c: Anzarina Moore